

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SOUTHERN ELECTRICAL RETIREMENT)	
FUND,)	
)	Civil Action No. 3:09-1157
Plaintiff,)	
)	<i>Judge Echols</i>
v.)	<i>Magistrate Judge Griffin</i>
)	
CHARLES SHERROD and)	
CHEROKEE ELECTRIC CO., INC.,)	
)	
Defendant.)	

AMENDED COMPLAINT

No responsive pleading having been filed, the Southern Electrical Retirement Fund (Plaintiff) amends the Complaint against Charles Sherrod ("Sherrod") and Cherokee Electric Co., Inc. ("Cherokee") as follows:

Paragraph 7 of the Complaint is amended to state as follows:

7. Despite demand by Plaintiff that Cherokee and Sherrod submit reports and make contributions and payments to Plaintiff as described in the preceding paragraph, and despite demand by Plaintiff that Cherokee and Sherrod perform their obligation with respect to making books and records available for an audit by Plaintiff, Cherokee has not submitted reports and contributions to Plaintiff and has neglected and refused to make its records available for inspection by the Plaintiff's auditor.

Respectfully submitted,

s/R. Jan Jennings

R. Jan Jennings, BPR No. 1536
Branstetter, Stranch & Jennings, PLLC
227 Second Avenue North, 4th Floor
Nashville, TN 37201-1631
Tel. (615) 254-8801

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been served via United States First

Class Mail with adequate postage affixed thereon to:

Mr. Charles Sherrod
Cherokee Electric, Inc.
7209 Asheville Highway
Knoxville, TN 37924

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7209 Asheville Highway
Knoxville, TN 37924

This 18th day of December, 2009.

s/R. Jan Jennings

R. Jan Jennings